

REMARKS

Claims 1, and 5-9 are now pending. All claims are under examination. The Examiner is again thanked for allowing claim 7.

Issues Under 35 USC § 112 and 132

The rejection in paragraphs 3, 4, and 5 of the last Office of claim 10 is traversed but has been rendered moot by the cancellation of this claim.

Issues Under 35 USC § 102

The rejection of all pending claims in paragraph 6 as anticipated by US Patent 6,190,805 (Takeuchi) is traversed but has been rendered moot by the present amendments to claims 1 and 5.

Takeuchi fails to teach a linear or branched polymeric compound such as (a) a hydroxyalkyl polysaccharaide derivative, (b) a polyvinyl alcohol derivative and/or (c) a polyglycidol derivative as required by many pending claims.

Takeuchi is silent about the pregel composition containing (a) the hydroxyalkyl polysaccharaide derivative, (b) the polyvinyl alcohol derivative and/or (c) the polyglycidol derivative.

Takeuchi also fails to teach or suggest that claim 1 requires both a compound having a reactive double bond and a linear or branched polymeric compound not having a reactive double bond.

Takeuchi never discloses a pregel composition containing such two types of polymers.

In any event, it is not obvious to those skilled in the art to arrive at the present invention from the cited patent.

With respect to claim 5, the Examiner states:

"Takeuchi et al. teach the polymer compounds comprising one having a hydroxyl group and one having the formula (3) in which the urethane group is replaced with isocyanate group." (Office Action dated March 26, 2004; page 4, line 5).

However, the polymer described by formula (5a) has no isocyanate group. That is, the polymer is prepared by a reaction between one isocyanate compound and one carbonate compound having hydroxyl groups. After the reaction, the isocyanate groups disappear and do not exist in the polymer (see column 16, lines 59 to 65).

Therefore, Takeuchi is silent about a pregel composition containing an isocyanate compound.

CONCLUSION

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact David R. Murphy (Reg. No. 22,751) at the telephone number of the undersigned below, to conduct an interview

in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By 
Gerald M. Murphy, Jr., #28,977

GMM/DRM/drm/enm
0171-0828P

P.O. Box 747
Falls Church, VA 22040-0747
(703) 205-8000